

United States District Court
For The Western District of North Carolina

UNITED STATES OF AMERICA

V.

JONATHAN SMITH
(Name of Defendant)

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 3:03CR113-1-T
USM Number: 05458-058

Date of Original Judgment: 9/10/2004

H. Thomas Church

(Or Date of Last Amended Judgment)

Defendant's Attorney

Reason for Amendment:

Correction of Sentence on Remand (Fed. R. Crim. P. 35(a))
 Reduction of Sentence for Changed Circumstances (Fed. R. P. 35(b))
 Correction of Sentence by Sentencing Court (Fed. R. Crim. P.)
 Correction of Sentence for Clerical Mistake (Fed. R. Crim. P.)

Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))
 Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
 Modification of Imposed Term of Imprisonment for Retroactive to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
 Direct Motion to District Court 28 U.S.C. § 2255 or
 18 U.S.C. § 3559(c)(7)
 Modification of Restitution Order 18 U.S.C. § 3664

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

THE DEFENDANT:

pleaded guilty to count(s) 5s, 8s & 14s.
 Pleaded nolo contendere to count(s) which was accepted by the court.
 Was found guilty on count(s) after a plea of not guilty.

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
18:924(c)	Carrying and brandishing a firearm in furtherance of a crime of violence and aiding and abetting the same. (18:2)	1/30/02	5s & 8s
18:2113(d)	Bank robbery and aiding and abetting the same. (18:2)	6/20/02	14s

The Defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984 reference to Booker, and 128 U.S.C. 3553(a).

The Defendant has been found not guilty on count(s) .
 Count(s) 1, 2, 4s, 6s, 7s, 9s, 10s, 11s, 12s, 13s & 15s (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 8/24/04

Signed: May 1, 2007


Lacy H. Thornburg
United States District Judge



Defendant: JONATHAN SMITH
Case Number: 3:03CR113-1-TJudgment-Page 2 of 2**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of One Hundred Twenty Months, *with all other terms and conditions of the original judgment to remain in full force and effect.*

The Court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

At _____ On _____.
 As notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before 2 pm on .
 As notified by the United States Marshal.
 As notified by the Probation or Pretrial Services Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ To _____

At _____, with a certified copy of this Judgment.

United States MarshalBy: _____
Deputy Marshal